

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2018-13

SUBJECT: Cascade Natural Gas Short-Term Franchise Agreement

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 6/7/18
- Passed by the City Council: 6/13/18
- Signature of Mayor
- Signature of City Clerk
- Publication: 6/22/2018
- Effective: 6/27/2018
- Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- NK Herald: 6/14/2018
- Code Publishing
- City Attorney
- Clerk's Department: Original
- City Council
- Finance:
- Posted to Library Drive and Website
- _____

Rhiannon Fernandez
City Clerk

6/8/2018
Date

ORDINANCE NO. 2018-13

AN ORDINANCE GRANTING TO CASCADE NATURAL GAS CORPORATION, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO USE AND OCCUPY THE STREETS, AVENUES, LANES, ALLEYS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF POULSBO, STATE OF WASHINGTON, FOR THE PURPOSE OF SUPPLYING, DISTRIBUTING AND SELLING GAS TO THE INHABITANTS OF THE CITY, AND ELSEWHERE; AND THE RIGHT AND PRIVILEGE OF CONSTRUCTING, AND THEREAFTER MAINTAINING MAINS, SERVICE PIPES AND OTHER NECESSARY EQUIPMENT IN SAID CITY, FOR THE DISTRIBUTION OF GAS FOR FUEL, POWER, HEAT AND OTHER PURPOSES.

WHEREAS, on September 19th, 1990, the City Council passed Ordinance No. 90-33, and on October 4th, 1990, Cascade Natural Gas Corporation accepted Ordinance No. 90-33 establishing a franchise for Cascade Natural Gas Corporation to provide natural gas services to the residents of the City by using City rights of way (the "Franchise"); and

WHEREAS, the Franchise established by Ordinance No. 90-33 expired on September 19, 2015; and

WHEREAS, the City is in negotiations with Cascade Natural Gas Corporation; and

WHEREAS, it is necessary to grant a short term franchise to Cascade Natural Gas until the new franchise agreement becomes effective;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON,

DO ORDAIN AS FOLLOWS:

Section 1. Short Term Franchise. The franchise terms contained in Poulsbo City Council Ordinance No. 90-33 are hereby adopted in full with the exception of the expiration date, which is modified to March 19, 2019. Except as provided herein, all of the privileges, provisions, terms, conditions, regulations and requirements contained in the Franchise granted through Ordinance No. 90-33 are hereby included in this short-term franchise and all such rights and obligations under the Franchise inure to the benefit of and are binding on both parties.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

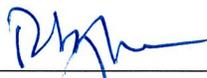
unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Acceptance. Cascade Natural Gas Corporation shall signify its acceptance of the terms of this franchise by signing the attached Acceptance (Exhibit One to this Ordinance) and submitting the signed Acceptance to the City of Poulsbo within thirty (30) days of the effective date.

Section 4. Effective Date. This ordinance shall take effect five (5) days after the passage and publication of an approved summary thereof consisting of the title.

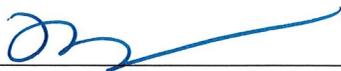
PASSED by the City Council and APPROVED by the Mayor on this 13th day of June, 2018.

APPROVED:



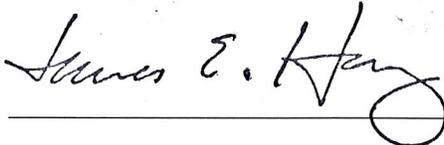
MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:



RHIANNON FERNANDEZ, CMC, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:



FILED WITH THE CITY CLERK: 06/07/2018
PASSED BY THE CITY COUNCIL: 06/13/2018
PUBLISHED: 06/22/2018
EFFECTIVE DATE: 06/27/2018
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EXHIBIT ONE

ACCEPTANCE

The undersigned hereby accepts all rights and privileges of the franchise granted pursuant to City of Poulsbo Ordinance No. 2018-13, subject to all the terms, conditions and obligations contained therein.

DATED this _____ day of _____, 2018.

CASCADE NATURAL GAS CORPORATION

By: _____

Its: _____

SUMMARY OF ORDINANCE NO. 2018-13

Of the City of Poulsbo, Washington

On the 13 day of June, 2018, the City Council of the City of Poulsbo, passed Ordinance No. 2018-13, the main point of which may be summarized by its title as follows:

AN ORDINANCE GRANTING TO CASCADE NATURAL GAS CORPORATION, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO USE AND OCCUPY THE STREETS, AVENUES, LANES, ALLEYS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF POULSBO, STATE OF WASHINGTON, FOR THE PURPOSE OF SUPPLYING, DISTRIBUTING AND SELLING GAS TO THE INHABITANTS OF THE CITY, AND ELSEWHERE; AND THE RIGHT AND PRIVILEGE OF CONSTRUCTING, AND THEREAFTER MAINTAINING MAINS, SERVICE PIPES AND OTHER NECESSARY EQUIPMENT IN SAID CITY, FOR THE DISTRIBUTION OF GAS FOR FUEL, POWER, HEAT AND OTHER PURPOSES.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting of June 13, 2018.



Rhiannon Fernandez, CMC, City Clerk